

## CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

May 17, 2011

### POST SUMMARY MINUTES

PRESENT: Chairman Eldrin Bell, Vice-Chairman Wole Ralph, Commissioner Sonna Singleton, Commissioner Gail B. Hambrick, and Clerk Shelby D. Haywood.

1. Chairman Bell called the meeting to order.
2. Invocation was led by Rev. Paula Wallace, Associate Minister of Greater Solid Rock Baptist Church in Riverdale, GA. Pledge of allegiance to the flag was led by Chairman Bell.
3. Amended the agenda by moving item #5 (PRESENTATION: Archway Partnership Update {presented by Gail Webb, Archway Professional}) down to be presented following the proclamation presentations; moving item #9 (PROCLAMATION: "Clayton County Recognizes Sequoyah Middle School Student Winter Robbins" {presented by Commissioner Gail B. Hambrick}) up to become item #6; holding item #15 (Resolution 2011-77 – Authorizing Clayton County to enter into an Intergovernmental Agreement with the City of Jonesboro providing for the terms and conditions under which restroom facilities to be located at Massengale Park will be constructed); and holding item #19 (Resolution 2011-81 – Authorizing an increase in the rates for the provision and maintenance of street lights for property owners participating in the Clayton County Street Lighting Program). An Executive Session will be held after the business meeting to discuss litigation and personnel. The agenda was adopted, as amended, as all commissioners had copies before them. The motion carried 4-0.
4. Approved the May 10, 2011 Regular Business Meeting minutes. The motion carried 4-0.
5. PROCLAMATION: "Clayton County Honors Dr. Pauline Knight-Ofosu – Freedom Rider" (presented by Commissioner Sonna Singleton).

At this time, Commissioner Singleton expressed her desire to share some information with the audience. She indicated that some people were here earlier today to attend a reception held in Dr. Pauline Knight-Ofosu's honor, and she just wanted to take a few minutes to speak (**verbatim** as follows):

*As I said earlier, it is rare that we get a chance to say "thank you" to people who have done incredible things to make our lives better. You all know we are living in an age where people feel a sense of entitlement and so many people feel that sense of entitlement. We need to recognize that there were people who fought for us to have these rights that we have. I don't know if you know, but May marks the fiftieth anniversary of the Freedom Rides. Fifty years ago in May 1961, Americans hungry for change (black and white, Jew and Christian) chose to confront segregation head-on. Many were college students who were still teenagers*

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*and needed their parent's permission to take part in the protest. Their plan was bold. Mixed race teams would travel into the deep south on Greyhound and Trailways buses, defying segregated conditions that violated federal interstate travel laws. Along the way, the riders were met with intimidation, beatings, and prison. Just to remind you, here are a few statements from some of the freedom riders. One of them said, "I asked God to be with me, to give me strength I would need to remain non-violent and to forgive them." Another statement..."The last thing I recall I was standing with Jim. I was hit in the head with a wooden crate. I heard a crack and I fell forward, rolled over my back, and a foot came down in my face and that was it...I was out. William was knocked down, a big 250 pound guy had his foot on his neck while another one was trying to drive a steel rod in his ear."...and finally a statement from a witness, "The police were standing there in their uniforms just looking. They provided no protection for those students." It's just a miracle that no one died from the 400+ freedom riders, but I'm just reminded of a quote that our honoree (Dr. Pauline Knight-Ofosu) said, "They couldn't kill my soul." Thank you.*

6. PROCLAMATION: "Clayton County Recognizes Sequoyah Middle School Student Winter Robbins (presented by Commissioner Gail B. Hambrick).

7. PROCLAMATION: "Clayton County Recognizes Emmanuel Ojo-Osagie – 1<sup>st</sup> Place State Level Science Fair Winner" (presented by Commissioner Michael Edmondson).

8. PROCLAMATION: "Clayton County Recognizes Mundy's Mill High School Student Tiana Williams" (presented by Vice-Chairman Wole Ralph).

NOTE: Clerk Haywood read all of the aforementioned proclamations for the benefit of the audience. Group photos were also taken.

9. PRESENTATION: "Archway Partnership Update" (presented by Gail Webb, Archway Professional).

Ms. Webb briefly referenced the update presentation she had distributed to the Board earlier. She highlighted two (2) 2011 Archway initiatives: 1) to start a Public Health Issue Work Group and 2) to hire a Public Health Archway professional who will work on health initiatives here in Clayton County. The University of Georgia College of Public Health received a \$3.2 million grant, and part of that grant will be utilized to hire an Archway public health professional and provide additional resources and training to public health professionals in the county. Ms. Webb further stated that the second Archway initiative is to develop an Education Issue Work Group to

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identify and address educational issues and priorities in Clayton County. Priorities addressed in Archway's 2010 Work Plan were Community Health, Education, Economic Development, and Board Development. Goals and accomplishments for each of those categories were outlined on pages 5 – 9 of the update presentation as follows:

#### 2010 Work Plan: Community Health

##### GOALS

1. Establish a partnership with Southside Medical to complete research and prepare an application to establish additional Federally Qualified Health Centers (FQHC) in Clayton County or the region.
2. Support the establishment of a Public Health Archway Professional position for Clayton County to facilitate the development and coordination of appropriate responses to public health issues.
3. Establish the Clayton County Archway Executive Committee as the Leadership Team for Clayton County Board of Health to oversee the strategic direction of project activities and enacting policies.

##### ACCOMPLISHMENTS

- Established Issue Work Group
- Created and completed a physician survey for the area
- Completed application for Federally Qualified Healthcare Center (FQHC)
- Coordinated planning efforts related to health issue-based Archway Professional
- Coordinated public health tour for four UGA College of Public Health students
- Provided four interns for the Clayton County Board of Health
- Developed a disaster plan for Clayton County Board of Health

#### 2010 WORK PLAN: EDUCATION

##### GOALS

1. Develop community-wide programs and initiatives that increase parental involvement and student success.

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2. Research and implement successful student attendance programs in Clayton County Public Schools that reduce student truancy.
3. Assess teen issues through implementation of programs in the high schools and coordinate the second annual Teen Summit in Clayton County.
4. Address teen gang violence by providing targeted resources to the Clayton Action Nexus and its affiliated programs.
5. Establish a leadership development program for girls at two middle schools in Clayton County.
6. Assist Clayton State University in expanding its existing tutoring program to three additional Clayton County Public Schools across the community.

### ACCOMPLISHMENTS

- Assisted in coordinating a tutoring program, writing workshop, the Teen Summit, and the Youth Entrepreneur Workshop
- Provided resources for Clayton County Public Schools in their SACS reaccreditation efforts
- Collaborated with UGA's College of Education to determine possible resources for Clayton County Education system
- Tutoring Program (**Needed** Program Manager)
- Student Project: Redesign Website – Clayton County Public Schools

### **2010 WORK PLAN: ECONOMIC DEVELOPMENT**

### GOALS

1. Continue to assist Clayton County Economic Development with designation as a Georgia Work Ready community.
2. Establish a partnership with Clayton County Economic Development to create the Clayton County Economic Development Consortium to develop a small business resource guide, an existing industry retention program, and a marketing plan for Clayton County.

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3. Develop standardized code enforcement policies and procedures through the establishment of a Code Enforcement Work Group comprised of county and city government representatives.

4. Redefine Clayton's public image and create community pride through a public image campaign that includes "branding" Clayton County and creating a community-wide communications and marketing plan.

5. Address community-wide beautification issues by continuing to provide technical assistance to local governments in the areas of landscape architectural design, litter and sign ordinances, and entryway/corridor development (e.g. Tara Boulevard Revitalization and Beautification).

6. Continue to assist Arts Clayton and the Clayton County Historical Task Force with program development and evaluation.

### ACCOMPLISHMENTS

- Assisted in establishing a Georgia Work Ready initiative in Clayton County and assisted in coordinating Clayton County Work Ready Week
- Assisted in coordinating an Economic Development Consortium
- Assisted in coordinating a "Credit Crunch" class for small business owners
- Provided 5 interns for the Clayton Economic Development Department
- Established a Code Enforcement committee; provided training
- Established the Historic Tourism Committee which led to the development of a Geo Caching program, a translated tourism brochure (Spanish, German, Japanese), and resources for the annual African Heritage Day event
- Established the Public Image Committee; provided more than 15 articles and press releases on Clayton County organizations, initiatives and programs; photographed numerous images that can be used to promote the community
- Managed over 25 landscape design projects throughout the county
- Linked Arts Clayton to the Georgia Museum of Art

### **2010 WORK PLAN: BOARD/LEADERSHIP DEVELOPMENT**

#### GOALS

1. Provide board development, strategic planning, and customized trainings to local governments and non-profit organizations.
2. Assist in facilitating inter-agency cooperation for the community-at-large.
3. Establish a Women's Leadership Class through Clayton State University for women aged 18-35.

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#### ACCOMPLISHMENTS

- Coordinated trainings related to code enforcement
- Provided a neutral, objective platform for inter-governmental cooperation
- Coordinated a Women's Empowerment Conference

Per Ms. Webb, page 10 listed additional projects which she completed as an Archway Professional –

- “Grants Writing” Workshop
- “Non-Profit Resource” Workshop
- Facilitated – Strategic Planning Retreats
- 50+ Presentations = Archway Partnership/Clayton Archway
- CCPS – Strategic Planning Committee
- Foreclosure/Credit Workshops
- Information Technology Projects
- Resources to establish 501c3
- Completed Community Park Design
- Assisted in establishing Clayton Reentry Coalition
- Provided photographs of Clayton County
- Recruited Student Interns
- African American Heritage Day Event – National Archives

According to Ms. Webb, Archway is a resource to address numerous opportunities and challenges in Clayton County. When a community needs help, Archway is available.

Lastly, Ms. Webb's update presentation (page 11) included the following estimates for projects completed in Clayton County for 2010 and part of 2011 (totaling \$133,000.00).

Clayton County Small Business Guide	\$	3,000.00
Georgia Work Ready Projects	\$	1,000.00
Landscape Design Projects 2010	\$	18,000.00
Clayton County Community Gardens Landscape	\$	6,000.00
Clayton County Park Design	\$	5,000.00
Clayton Road to Tara Brochure in different langs.	\$	1,000.00
Clayton County Website Analysis	\$	4,000.00
Clayton County Website Upgrade	\$	5,000.00
Clayton County Economic Develop. Intern “2009”	\$	10,000.00
Clayton County Economic Develop. Interns “2010”	\$	5,000.00

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Clayton County Economic Develop. Intern "2010"	\$	6,000.00
Clayton County Online Telephone Directory	\$	2,000.00
Clayton County Conceptual Trail	\$	6,000.00
Clayton County Code Enforcement Study	\$	5,000.00
Clayton County Board of Health Interns 2009/2010	\$	15,000.00
Clayton Photography Project	\$	3,000.00
Clayton County FQHC Project "CC Bd. Of Health"	\$	20,000.00
Clayton County Writing Workshops	\$	7,000.00
Clayton County Youth Entrepreneur Workshops	\$	5,000.00
Clayton County Teen Summits "2009 & 2010"	\$	6,000.00

Ms. Webb concluded that the total investment for the county is \$50,000.00. Archway Partnership wanted to show a good return on the county's investment. Hopefully, Archway Partnership will continue to be in Clayton County and do its best to serve county residents.

10. Rod Gray, Director of Central Services, presented these two (2) requests which resulted in the following actions. (NOTE: The Board voted on both of these requests at once.)

1) Approved a request for a contract amendment for RFP Pkg. #09-57 (4/8/2010) for Construction Management-at-Risk Services for the Juvenile Justice Center Guaranteed Maximum Price, Change Order Request. This project was approved by the Board of Commissioners on May 4, 2010 and was awarded to Potts Construction Services, located in Conyers, Georgia. The motion carried 4-0.

The change order request is to establish a Guaranteed Maximum Price (GMP), as recommended and negotiated by Carter Goble Lee, project manager. This request establishes a GMP of \$11,771,883.00 for the construction of the Juvenile Justice Center.

2) Approved a Purchase Requisition (#2979) to buy 50 DELL Latitude E6410 ATG laptops, as requested by the Police Department. The motion carried 4-0.

The vendor for this State Contract #SWC90814-01 purchase is DELL Computer Corporation located in Round Rock, Texas, at a cost of \$78,800.00. Funding is available in the Federal Narcotics Condemnation Fund.

11. Angela Jackson, Director of Finance, submitted these items for Board consideration which resulted in the following actions. (NOTE: The Board voted on all of these items at once.)

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1) Approved Budget Amendment #2-35/Fire Department, for FYE 6-30-11, in the amount of \$55,162.00. This amendment recognizes State funds allotted for facility upgrades for fire programs currently taught through College Accredited training. The motion carried 4-0.

2) Approved Budget Amendment #2-36/State Narcotics Condemnation Fund, for FYE 6-30-11, in the amount of \$980.00, to transfer fees to the District Attorney and Clerk of Superior/Magistrate Court for the processing of forfeiture cases. The motion carried 4-0.

3) Approved Budget Amendment #2-37/Senior Services, for FYE 6-30-11, in the amount of \$345,720.00, to recognize revenue received in excess of the revenue budget. This amendment will also move the money budgeted for the Frank Bailey Fitness Center wages to the proper Org. The motion carried 4-0.

4) Approved Budget Amendment #2-38/Fire Department, for FYE 6-30-11, in the amount of \$12,100.00, to reflect the costs associated with replacement items utilized on previous HAZMAT/Special Ops Incidents. The motion carried 4-0.

5) Approved Budget Amendment #2-40/E-911 Fund, for FYE 6-30-11, in the amount of \$33,000.00, to purchase a vehicle for the E-911 operations. The motion carried 4-0.

12. Approved Resolution 2011-73 authorizing the acceptance of a vehicle (1999 Nissan Pathfinder) to be assigned to the Police Department fleet in a manner as will be in the best interest of the County; to provide an effective date of this resolution; and for other purposes. The motion carried 4-0.

13. Approved Resolution 2011-74 authorizing the sale or other disposition of condemned or seized vehicles (2003 Range Rover, 2007 BMW 650i, 2002 BMW 745i, and 1989 Chevrolet S10 Truck) from the Clayton County Police Department Drug/Gang Task Force to be sold at auction; to authorize the Director of Central Services to effect the sale of said vehicles as surplus items; to authorize the disbursement of proceeds from the sale of such property. The motion carried 4-0.

14. Approved Resolution 2011-76 authorizing Clayton County to enter into a Cooperation Agreement with the City of Jonesboro regarding the approval of construction plans for the Youth Development and Justice Center; to authorize the Chairman to execute the Cooperation Agreement with the City of Jonesboro; and for other purposes. The motion carried 4-0.

15. Approved Resolution 2011-78 authorizing Clayton County to enter into an agreement on behalf of the Clayton County Landfill with Quality Tire Recycling, LLC providing for the terms



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and conditions under which tire recycling will be rendered to the County. The motion carried 4-0.

16. Approved Resolution 2011-79 authorizing Clayton County to enter into an Intergovernmental Agreement with the Department of Transportation, State of Georgia, for the Regional Traffic Operations Program (S.R. 3 Tara Boulevard and S. R. 85). The motion carried 4-0.

17. Approved Resolution 2011-80 authorizing Clayton County to enter into Local Government Lighting Project Agreements with the Department of Transportation, State of Georgia, for street lighting to be included in Projects STP00-0001-00(817) and STP00-1583-00(012) – (C.W. Grant Parkway and Conley & McDonough Road Widening Projects). The motion carried 4-0.

18. Approved Resolution 2011-82, a Resolution to allow the Clayton County Black History Center to host a Juneteenth Celebration at the Lee Street Park; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution. The motion carried 4-0.

### PUBLIC COMMENT:

1. Mr. John Marxen requested that the Board examine and establish a set of rules that the Tax Assessors Office is supposed to use, particularly when property owners appear before the Board of Equalization (BOE). He had personally appealed his property taxes several times and, each time he appears before the BOE, someone relays a rule to him that he has never heard of before. Specifically, Mr. Marxen stated he has been told he is not allowed to use information that occurs after January 1<sup>st</sup> for the year in question. Yet, he has had his taxes changed due to a property change that occurred after January 1<sup>st</sup>. Mr. Marxen emphasized that he has not seen anything in writing that states he cannot use information after January 1<sup>st</sup>. He reiterated that he would like the Board to examine this issue so that the residents can have some concrete rules when they appear before the BOE. As it now stands, someone keeps changing the rules in the BOE session and nobody knows about it.

Vice-Chairman Ralph asked Chief Attorney Michael Smith to explain how the rules for the Board of Equalization and the Tax Assessors Board are created.

Attorney Smith responded that the rules are established by the State of Georgia, so they are found in the State code and enacted by the Georgia General Assembly.

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Mr. Marxen rebutted that the rules are relayed to him by the Assessor (Appraiser?) and the Head Assessor while he is in a BOE session. He further stated that he went to the Tax Assessors Office and requested the set of rules that the assessors use, and someone told him he had to go to the Board of Equalization. Mr. Marxen understood, however, that the Board of Equalization rules had just recently been written. On several occasions, the assessor informed him that she did not have up-to-date information. Additionally, the head of the Board never asked the assessor how she was able to determine assessments if she did not have up-to-date information.

Vice-Chairman Ralph commented that Attorney Smith had essentially stated that this Board does not make up those rules. They are made up in the General Assembly.

Mr. Marxen then asked who is over those persons who do assessments in the Tax Assessors Office.

Vice-Chairman Ralph reiterated that the General Assembly creates the rules that the assessors use to make decisions (assessments).

Mr. Marxen asked if the county has no rules or say-so over how the assessors assess the residents' property.

Vice-Chairman Ralph answered correct. Mr. Marxen wanted to know how he could obtain those rules (and avoid confusion in the BOE sessions).

Chairman Bell interjected that Chief Staff Attorney Smith could confer with Mr. Marxen immediately after this business meeting and exchange information. He acknowledged that this is a complex issue and the rules change constantly. The General Assembly has even changed the laws for this year. Property owners will receive a new type of tax bill with different information on it compared to previous years. Although the county appoints the people who sit there (on the Assessors Board), it does not have any governing authority over them. Chairman Bell told Mr. Marxen that Attorney Smith will explain the situation to him and, if necessary, refer him to the right person who can resolve the matter for him. Mr. Marxen finally asked if the property assessors are appointed. Chairman Bell said the appraisers are hired, but the persons who sit on the Assessors Board are appointed. He again referred Mr. Marxen to Attorney Smith for resolution to his inquiry.